



# Individualized Education Account (IEA) Program

State Board of Education Workshop  
September 24, 2015

# IEA Program Laws, Rules & Procedures

- The IEA program **was adopted by the General Assembly** in **2015** (Public Chapter 431).
  - The program will go into effect in the 2016-17 school year.
- The **State Board of Education** (SBE) is required to **approve rules for the program**.
  - Rules are being drafted and reviewed by an internal advisory group of department and SBE staff.
  - Rules are being proposed to the SBE on first reading in October 2015.
  - Final read will be in January 2016.

# Internal IEA Advisory Group Members

- **Stephen Smith**, Deputy Commissioner, Policy and External Affairs
- **Rebecca Wright**, Director, IEA Program
- **Sara Heyburn**, Executive Director, State Board of Education
- **Nathan James**, Director of Legislative Affairs, State Board of Education
- **Angie Sanders**, General Counsel, State Board of Education
- **Joey Hassell**, Assistant Commissioner, Division of Special Populations and Student Support
- **Suzanne Keefe**, Executive Director, Division of Special Populations and Student Support Services
- **Theresa Nicholls**, Director of Special Education Eligibility, Special Populations
- **Marcy Tidwell**, Director of School Choice
- **Maryanne Durski**, Executive Director, Office of Local Finance
- **Christy Ballard**, General Counsel
- **Bill Wilson**, Assistant General Counsel for Special Education
- **Amy Owen**, Director of Academic Research, Policy, and Communications, Office of Academic Strategy and Operations
- **Elizabeth Fiveash**, Director of Legislative Affairs
- **Ashley Ball**, Director of Communications
- **Jayme Place**, Chief of Staff
- **Meg Cummins**, Account Specialist, IEA Program
- **Janelle Ferrier**, Administrative Assistant, IEA Program

# Program Implementation Objectives

- The department is responsible for **administering the program** and will develop IEA program **procedures**.
- The two goals for the development and implementation of the IEA Program are:
  1. To **implement the law responsibly**, effectively, and in compliance with it's specific language and intent.
  1. To provide students and parents **with additional education options** pursuant to the law, and do so in a **clear and transparent way** so that parents can make informed choices for their children.

# IEA Program Overview

- There is **no cap** on the number of students who can participate and/or the number of IEA accounts that can be established.
- The program is **statewide**; a student can reside in any LEA in Tennessee.
- Students in the IEA program **waive all IDEA rights** and their **IEP is no longer valid** after they enter the program.
- IEA students will be **counted in the LEA's enrollment** for purposes of generating **funding**, but **will not be included** in the LEA's **accountability**.
  - IEA will have a separate classification code in EIS, and there will be an IEA Course Code.
- Students can apply to participate in the IEA program **once per year** (spring application window for August start date).

# Student Eligibility

- An “eligible student” must be a Tennessee resident who:
  - **has an IEP in effect at the time of request** for participation in the program; and
  - meets **at least one of the following** requirements:
    - was previously enrolled in a TN public school during the two semesters immediately preceding the semester in which the student receives an IEA; or
    - is attending a TN public school for the first time; or
    - received an IEA in the previous year.
- Also, the student must be identified with **any of the following disabilities**:
  - autism;
  - deaf-blindness;
  - hearing impairments;
  - intellectual disability;
  - orthopedic impairments;
  - traumatic brain injury; or
  - visual impairment.

# IEA Program School Options

- Students in the IEA program **cannot be enrolled full-time** in a public school as their school of record.
- Students can either be:
  - enrolled in an **independent homeschooled student** registered with the LEA, or
  - enrolled in a **private school** (including private virtual schools).
- Students **can transfer from one participating school to another** during the year.
- Students **can withdraw from the IEA program** at anytime and return to the LEA.

# IEA Funding

- The amount of funding equals the **average BEP per student funding amount** in the LEA (state/local).
  - Approximately \$6,600 per student, will vary per LEA per year
  - Minus four percent for program administration.
- Parents will receive funding in **four, equal, quarterly payments** deposited into an IEA account.
  - The TDOE will set-up student's IEA accounts and determine the method for distributing funds to those accounts.
- Parents will have to submit **receipts and expense reports each quarter**.
  - The department will determine the process for reviewing the receipts.



# Approved Uses of IEA Funds

Parents may use IEA funds **only for the benefit of the student enrolled in the IEA program** for the following expenses listed in the law:

- **fees for the management of the IEA** by private financial management firms;
- **tuition or fees** at a participating school;
- **textbooks** required by a participating school;
- **tuition or fees** for a **nonpublic online learning program** or course;
- **tuition or fees** at an **eligible postsecondary institution**;
- **textbooks** required for courses at an eligible postsecondary institution;

# Approved Uses of IEA Funds

- **fees for transportation** paid to a fee-for-service transportation provider;
- **tutoring services** provided by a tutor accredited by a state, regional, or national accrediting organization;
- **educational therapies or services** for participating students from a licensed or accredited practitioner or provider, including licensed or accredited paraprofessionals or educational aides;
- **payment for purchase of a curriculum**, including any supplemental materials required by the curriculum;
- **computer hardware or other technological devices** if approved by the department or a physician and are used for student's educational needs;

# Approved Uses of IEA Funds

- **services provided under contract** with a public school, including individual classes and extracurricular programs;
- **fees for nationally standardized, norm-referenced achievement tests**, Advanced Placement examinations, or any examinations related to college or university admission;
- **contributions to Coverdell education savings account** established under 26 U.S.C. § 530 for the benefit of the participating student, except that funds used for elementary or secondary education expenses shall be for expenses otherwise allowed;

# IEA Accountability

- Students in **grades 3-8** must take either **TCAP or a norm-referenced assessment in English language arts and math**.
  - Results must be reported to the parent.
  - TDOE will require parents to submit verification of assessment administration each year.
- **No other accountability metrics** are specifically required by the law.

# Stakeholder Engagement

- **IEA Webpage** on TDOE website is now live:  
<http://www.tn.gov/education/section/iea>
  - Includes IEA Program FAQs
  - Email address: [iea.questions@tn.gov](mailto:iea.questions@tn.gov)
- IEA Team will be presenting **information at state conferences** beginning in fall 2015.
- IEA Team will be creating a **communications plan** to provide information about the IEA program to each stakeholder group including parents and school districts.
- TDOE will provide multiple opportunities for **stakeholder feedback and recommendations**.
  - There will be an external advisory group to advise the TDOE on IEA program implementation that will include members of the Advisory Council for the Education of Students with Disabilities.

# Stakeholder Engagement

- TDOE has formed an informal **External Advisory Group**. Purpose of this group is two-fold:
  1. For the department to share with external stakeholders implementation information for the IEA Program, and
  2. For external stakeholders (members of this group) to provide feedback to the department.
- There will be a **Rule Making Hearing** to give members of the public and stakeholder groups an opportunity to provide feedback on the proposed IEA rules.
  - The meeting will be held in Nashville on Nov. 12, 2015.

# IEA External Advisory Group Members

Name	Title	Organization
<b>Angela Webster</b>	Public Policy Advisor	Disability Rights Tennessee
<b>Beth Herren</b>	Supervisor, Special Populations Department	Franklin Special School District
<b>Carrie Guiden</b>	Executive Director	The Arc of Tennessee
<b>Chip Fair</b>	Vice-Chair	Advisory Council for the Education of Students with Disabilities
<b>Debra Moody</b>	State Representative	Tennessee General Assembly
<b>Dolores Gresham</b>	Chair, Senate Education Committee	Tennessee General Assembly
<b>Dr. Sara Heyburn</b>	Executive Director	State Board of Education

# IEA External Advisory Group Members

<b>Dr. Tammy Grissom</b>	Executive Director	Tennessee School Boards Association
<b>Dr. Therese S. Williams</b>	Superintendent	Catholic Diocese of Nashville
<b>Dr. Wayne Miller</b>	Executive Director	Tennessee Organization of School Superintendents
<b>John Forgety</b>	Chair, House Education Instruction and Programs Committee	Tennessee General Assembly
<b>Karen Harrison</b>	Executive Director	STEP-TN
<b>Kayren Craighead</b>	Special Education Coordinator	Sumner County Schools
<b>Patricia Toarmina</b>	Director, Department of Exceptional Children	Shelby County Schools
<b>Stephen Smith</b>	Deputy Commissioner, Policy and External Affairs	Tennessee Department of Education



# TDOE Responsibilities & Next Steps

- Finalize **draft recommendations** of the IEA rules for the SBE first read in October
- Create **administrative procedures** for IEA program
- Create **application materials, system for submitting application, and process to review/ approve applications** from students and private schools/ providers interested in participating in the IEA program
- Create process for receiving and reviewing **receipts**
- Develop **communications plans** for stakeholders
- Plan **IEA information and training sessions** for parents and school districts
- Determine **program evaluation system and metrics**
- Create **fraud reporting system**

# Key Topics in Proposed Rules for October

- Clarity regarding **student eligibility**
- **Qualifications and approval process** for participating schools and providers
- **Definitions** for approved IEA expenses
- **Financial safeguards**
- **Appeals procedures**
- **Conflicts of interest**

Questions?